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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,354	02/12/2001	William J. Tobin	TOBINB 3.0-001 CONT	2023
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LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER YUAN, ALMARI ROMERO				
ART UNIT PAPER NUMBER				
2176				

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/781,354

Applicant(s)

TOBIN, WILLIAM J.

Examiner

Almari Yuan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 60-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 60-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed on 02/12/0, Preliminary Amendment filed on 02/12/01, and IDS filed on 6/21/03.
2. Claims 1-59 are canceled and claims 60-84 are newly added claims. Claims 60-84 are pending. Claims are 60, 67, 83, and 84 independent claims.

### ***Information Disclosure Statement***

3. The reference by Robert Neches, et al. "Electronic Commerce on the Internet" has not been considered by the Examiner because the date is unknown to be consider as Prior Art, however, the rest of the cited references in the information disclosure statement (IDS) submitted on 6/21/03 has been considered by the examiner.

### ***Specification***

4. The abstract of the disclosure is objected to because the content is not related to the newly added claimed invention. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 60-84 rejected under 35 U.S.C. 103(a) as being unpatentable over Dyreson et al. "The Boomerang White Paper: a Page As You Like It", 11/1995, <WWW.W3.org> , pages 1-17 (herein after "Dyreson") in view of Person, Ron, "Web Publishing with Word for Windows", 1995, Que Corporation, pages 63-65 and 207-211 (herein after "Person"). Regarding independent claims 60 and 83 and (dependent claims 66, 68-69, 71, 74, 77-79, and 82),**

Dyreson discloses:

A system for configuring a web page for display by a client computer (see Abstract teaches Boomerang is a dynamic HTML page reconfiguration system to reconfigure a requested HTML page prior to displaying it (see page 5)), said system comprising:

transmitting over the Internet a first HTML document from a first server (on page 3 Figure 1 shows the client can request a page from a server via network), said first HTML document including a pointer to a location at a web site stored on a second server (on page 2 especially 1<sup>st</sup> paragraph teaches an building an Internet mall welcome page wherein each store within the mall is a unique hypertext document that is designed, developed, and maintained independently (accessed from a different location)), said first HTML document being associated with a first brand (on page 2 teaches mall itself will have a single "welcome" page (1<sup>st</sup> HTML document)),

dynamically configuring a complete web page to be displayed on said client computer (on page 2 2<sup>nd</sup> paragraph teaches dynamically reconfiguring a document),

displaying said web page on said client computer (on page 5 teaches displaying final page to the client).

However, Dyreson does not explicitly disclose “combining information and a second brand stored in said second server with said first brand”.

Person does disclose “combining information and a second brand stored in said second server with said first brand” on page 63-65 and page 208 teaches creating interactive web forms/pages to be published in the web; wherein the web page contains a plurality of images (2<sup>nd</sup> brands) all combined within a single web page “ZD net” (1<sup>st</sup> brand) (see page 208 Figure 9.13). On pages 209-211 teaches each image on the “ZD” net web page will be configured with an embedded hyperlink (URL) for the user to click on to retrieve the related web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Person into Dyreson to provide a way combine a plurality of images with embedded hyperlinks (URLs) into a single web page, as taught by Person, incorporated into the Internet Mall web page of Dyreson, in order to provide way to attract users in finding goods or do comparison shopping over the Internet/Network.

**Regarding dependent claims 61 and 70,** Person does disclose “the pointer/reference includes a URL address”, on pages 209-211 teaches each image on the “ZD” net web page will be configured with an embedded hyperlink (URL).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Person into Dyreson to provide a way combine a plurality of images with embedded hyperlinks (URLs) into a single web page, as taught by Person,

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incorporated into the Internet Mall web page of Dyreson, in order to provide way to attract users in finding goods or do comparison shopping over the Internet/Network.

**Regarding dependent claims 62 and 73**, Dyreson discloses “World Wide Web servers” on page 1 teaches how to control information on the World Wide Web and on page 5 teaches servers usually fetch pages.

**Regarding dependent claims 63 and 75-76**, Dyreson discloses “graphic based browser” on page 1 teaches Boomerang is compatible with existing browsers and on page 5 teaches displaying final page using the browser.

**Regarding dependent claims 64-65 and 80-81**,

Dyreson on page 1 and page 5 teaches Boomrang uses a page template to specify how to reconfigure the page.

Person on page 208 Figure 9.13 shows the ZD net logo is placed as the header of the web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Person into Dyreson to provide a way combine a plurality of images with embedded hyperlinks (URLs) into a single web page, as taught by Person, incorporated into the Internet Mall web page of Dyreson, in order to provide way to attract users in finding goods or do comparison shopping over the Internet/Network.

**Regarding independent claims 67 and 84**, Dyreson discloses:

A system for displaying a page in a client/server based network (on page 4 shows client/server network to reconfiguring a requested page prior to displaying it to the client (see page 5)), said system comprising:

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a client computer of said network (on page 3 Figure 1 shows the client can request a page from a server via network) page including information to be displayed on said display (on page 5 teaches displaying page to the client),

transmitting a first tagged document from a first server to client computer (on page 3 Figure 1 shows the client can receive the request page from a server via network), said first tagged document including a reference to a second tagged document on a second server, said first tagged document being associated with a first brand, said second tagged document including a second brand (on page 2 especially 1<sup>st</sup> paragraph teaches an building an Internet mall welcome page (1<sup>st</sup> tagged document" wherein each store (2<sup>nd</sup> brand) within the mall (1<sup>st</sup> brand) is a unique hypertext document that is designed, developed, and maintained independently (accessed from a different location)),

dynamically configuring a complete web page to be displayed on said client computer (on page 2 2<sup>nd</sup> paragraph teaches dynamically reconfiguring a document),

displaying said page on said display of said client computer (on page 5 teaches displaying final page to the client).

However, Dyreson does not explicitly disclose "combining information contained in said second tagged document with at least said first brand, such that said page contains both said first brand and said second brand".

Person does disclose "combining information contained in said second tagged document with at least said first brand, such that said page contains both said first brand and said second brand" on page 63-65 and page 208 teaches creating interactive web forms/pages to be published in the web; wherein the web page contains a plurality of images (2<sup>nd</sup> brands) all combined within

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a single web page “ZD net” (1<sup>st</sup> brand) (see page 208 Figure 9.13). On pages 209-211 teaches each image on the “ZD” net web page will be configured with an embedded hyperlink (URL) for the user to click on to retrieve the related web page.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Person into Dyreson to provide a way combine a plurality of images with embedded hyperlinks (URLs) into a single web page, as taught by Person, incorporated into the Internet Mall web page of Dyreson, in order to provide way to attract users in finding goods or do comparison shopping over the Internet/Network.

**Regarding dependent claim 72**, Dyreson on page 4 Figure 2 shows the connection between the client and server via network. An IP address must be used for the client to communicate with the server over the network and for the client to request for a page.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,717,860 – Graber et al. – filed on 09/1995

USPN 5,845,303 – Templeman – filed on 10/1996 (cont. of 350,447 filed 12/1994, abandoned)




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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 703-305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY  
April 29, 2004

  
**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**